

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:22-cv-00211-FDW

MARTIN EVANS,
Plaintiff,
vs.
KILOLO KIJAKAZI,
Acting Commissioner of Social Security,
Defendant.

ORDER

THIS MATTER is before the Court on the parties' Consent Motion for Attorney Fees Under EAJA, filed on December 20, 2022. (Doc. No. 12). The parties' Consent Motion asserts that the parties have agreed that the Commissioner of Social Security should pay the sum of \$6,300.00, in full and final settlement of all claims arising under the Equal Access to Justice Act ("EAJA"). See 28 U.S.C. § 2412(d). Further, the Motion requests that Plaintiff should be paid \$402.00 in costs from the Judgment Fund by the U.S. Department of Treasury pursuant to 28 U.S.C. § 2412(a)(1).

Upon the consent of the parties, it is hereby ORDERED that the Judgment Fund by the U.S. Department of Treasury pay to Plaintiff \$402.00 in costs, and that the Commissioner of Social Security pay to Plaintiff the sum of \$6,300.00 in attorney fees, in full satisfaction of any and all claims arising under the EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sums this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Charlotte Hall,

and mailed to her office at P.O. Box 58129, Raleigh, North Carolina, 27658, in accordance with Plaintiff's assignment to his attorney of his right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

IT IS SO ORDERED.


Frank D. Whitney
United States District Judge

Signed: January 5, 2023